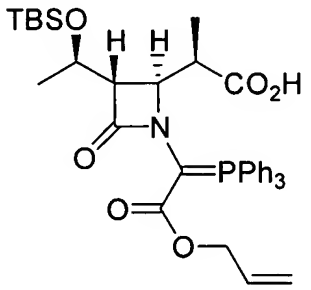
IN THE CLAIMS

Please amend the claims as follows:

1. **(Original)** A crystal of a compound of formula (I) or its salt or their solvate:



(I)

wherein TBS represents t-butyldimethylsilyl and Ph represents phenyl.

2. **(Original)** The crystal according to claim 1, which is a crystal of a solvate of the compound of formula (I).

3. **(Original)** The crystal according to claim 1, which is a crystal of an ethyl acetate solvate of the compound of formula (I).

4. **(Original)** The crystal according to claim 1, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]
10.2 ± 0.1
11.7 ± 0.1
17.0 ± 0.1
21.5 ± 0.1

5. **(Original)** The crystal according to claim 4, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]
10.2 ± 0.1
11.7 ± 0.1
11.9 ± 0.1
17.0 ± 0.1
21.5 ± 0.1

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6. **(Original)** The crystal according to claim 1, which can be obtained by precipitating a crystal from a solution of the compound of formula (I) dissolved in ethyl acetate.

7. **(Original)** The crystal according to claim 1, which is a crystal of a butyl acetate solvate of the compound of formula (I).

8. **(Original)** The crystal according to claim 1, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]
9.3 ± 0.1
12.5 ± 0.2
13.7 ± 0.2
15.7 ± 0.2

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9. **(Original)** The crystal according to claim 8, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]

8.0 ± 0.1

9.3 ± 0.1

9.8 ± 0.2

12.5 ± 0.2

13.7 ± 0.2

15.7 ± 0.2 .

10. **(Original)** The crystal according to claim 1, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]

5.7 ± 0.1

11.2 ± 0.2

13.9 ± 0.2

14.5 ± 0.2 .

11. **(Original)** The crystal according to claim 10, which exhibits a powder X ray diffraction pattern having diffraction peaks at at least the following diffraction angles (2θ):

Diffraction angle (2θ) [°]

5.7 ± 0.1

8.4 ± 0.1

10.3 ± 0.1

11.2 ± 0.2

13.9 ± 0.2

14.5 ± 0.2 .

12. **(Original)** The crystal according to claim 1, which be obtainable by precipitating a crystal from a solution of the compound of formula (I) dissolved in butyl acetate or a mixture of butyl acetate with a solvent for crystallization.

13. **(Original)** The crystal according to claim 12, wherein said solvent for crystallization is n-hexane.

14. **(Original)** The crystal according to claim 1, which be obtainable by dissolving the compound of formula (I) in a solvent selected from the group consisting of water, methanol, ethanol, propanol, isopropyl alcohol, n-butanol, diethyl ether, methyl acetate, ethyl acetate, propyl acetate, butyl acetate, and a mixture of any one of said solvents with a solvent for crystallization, and precipitating a crystal from the solution.

15. **(Original)** A process for producing a crystal according to claim 1, said process comprising

dissolving the compound of formula (I) in a solvent selected from the group consisting of water, methanol, ethanol, propanol, isopropyl alcohol, n-butanol, diethyl ether, methyl acetate, ethyl acetate, propyl acetate, butyl acetate, and a mixture of any one of said solvents with a solvent for crystallization, and precipitating a crystal from the solution.

16. **(Original)** The process according to claim 15, wherein said solution and a separately provided solvent for crystallization are subjected to the procedure by a vapor diffusion method to precipitate a crystal.

17. **(Original)** The process according to claim 16, wherein said procedure by the vapor diffusion method comprises allowing said solution and a separately provided solvent for crystallization to stand separately in respective hermetically sealable vessels in a volume ratio of 1 : 1 to 1 : 20.

18. **(Currently amended)** The process according to any one of claims 15 ~~to 17~~, wherein said solvent for dissolving the compound of formula (I) is selected from the group consisting of ethyl acetate, butyl acetate, and a mixture of any one of said solvents with a solvent for crystallization.

19. **(Currently amended)** The process according to any one of claims 15 ~~to 18~~, wherein said solvent for crystallization is selected from the group consisting of n-pentane, n-hexane, n-heptane, cyclohexane, petroleum ether, diisopropyl ether, and diethyl ether.

20. **(Original)** The process according to claim 19, wherein said solvent for crystallization is n-hexane.

21. **(Currently amended)** The process according to any one of claims 15 ~~to 20~~, wherein said solvent is one prepared by dissolving a noncrystalline solid compound of formula (I) as the compound of formula (I) for dissolution in said solvent in ethyl acetate or butyl acetate, further adding n-hexane and cooling the mixture, and vacuum drying the resultant solid matter.

22. **(Original)** Use of the crystal according to claim 1, as a synthetic intermediate for the production of a 2-substituted-1β-methyl carbapenem antimicrobial compound.